IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.6784 of 2026
CNR No. ODHC010475222026

Pradeep Kumar Behera **.....** ***Petitioner***

Represented by Adv. - Anshuman Panda

-versus-

State Of Odisha & another **.....** ***Opposite Parties***

Represented by Adv. - Pramod Kumar Jena

Mr. P Satpathy, ASC

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA
ORDER
19.11.2026

Order No.

04. 1. This matter is taken up through Hybrid Arrangement (Virtual/ Physical Mode).

2. Heard learned counsel for the Petitioner and learned counsel for the State. Perused the materials placed before this Court.

3. The present bail application under Section 483 of B.N.S.S., 2023 has been filed by the Petitioner for regular bail in connection with Special Case No.128 of 2026 arising out of Basta P.S. Case No.224 of 2026 pending in the Court of learned A.D.J.-cum-Special Court under POCSO Act, Balasore for the alleged commission of offence punishable under Sections 329(4)/ 296/ 115(2)/ 74/75(2)/ 76/351(2) of BNS, 2023 read with Section 12 of the POCSO Act.

4. It is submitted by the learned counsel for the Petitioner that the

Petitioner is in custody since 18.04.2026. The learned counsel for the Petitioner submitted that in the meantime, the investigation has been concluded and the final charge-sheet has already been filed. He further contended that, though the trial has commenced in the meantime, however, there is no possibility of conclusion of trial in the near future and many of the witnesses are yet to be examined. He further submitted that the Petitioner belongs to the locality, therefore, there is no chance of absconding.

5. Further referring to the allegations made in the F.I.R., the learned counsel for the Petitioner contended that, the petitioner has been apprehending in this case for alleged misbehaviour and assault to the victim. He further contended that the Petitioner has been falsely implicated in the present case. It was also brought to the notice of this Court that there exists a conflict between both the families, as a result of which, the Petitioner has been implicated in the present case. In such view of the matter, learned counsel for the Petitioner submitted that the Petitioner be released on bail on any terms and conditions that would be imposed by this Court while the Petitioner release on bail.

6. Learned Additional Standing Counsel appearing for the State-Opposite Party, on the other hand, opposed the release of the Petitioner on bail on the ground of gravity and seriousness of the allegation. He further contended that the trial is going on. In the event the Petitioner is released on bail, there is every likelihood that he might abscond, which may cause delay in the conclusion of trial. Therefore, he submitted that the prayer for bail of the Petitioner be rejected at this juncture.

7. Having heard the learned counsels appearing for the respective

parties and on a careful examination of the surrounding facts and circumstances of the present case, keeping the view the period of detention of the Petitioner in jail custody, further taking note on the statement of the victim recorded under Section 183 of BNSS as well as the deposition of the informant, this Court is inclined to release the Petitioner on bail subject to imposition of stringent conditions.

8. Hence, it is directed that the Petitioner be released on bail in the aforesaid case on furnishing bail bond of Rs.40,000/-(Rupees forty Thousand) with two local solvent sureties each for the like amount to the satisfaction of the Court in seisin over the matter.

9. The release of the Petitioner shall also be subject to such other terms and conditions as is deemed just and proper by the court in seisin over the matter with regard to the safety of the informant, victim and their family members.

10. The BLAPL is, accordingly, disposed of.

Urgent certified copy of this order be granted as per rules.

(Aditya Kumar Mohapatra)
Judge

Binayak

Signature Not Verified
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Signed by: BINAYAK SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 19-Nov-2026 19:58:28